

REMARKS

An Office Action was mailed May 29, 2008. This response is timely. Any fee due with this paper, including any necessary extension fees, may be charged on Deposit Account 50-1290.

Summary

Claims 27-37 are pending at the time of examination.

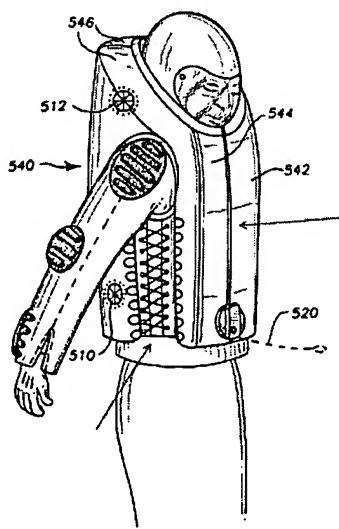
By the foregoing, certain claim amendments are made and new claims are submitted. No new matter has been added. All claims are well supported by the specification.

Rejection under 35 U.S.C. §102(b)

Claims 27-37 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,125,478 to Aloof. The rejection is respectfully traversed.

Aloof does not teach, disclose, or suggest "a front opening offset from a centerline of the garment." Fig. 11 of Aloof is cited for teaching the claimed opening. The figure is reproduced below, marked with arrows referring to items discussed below.

FIG. 11



The drawing teaches a side portion comprising lacing and appears to be a garment adjustment means, rather than an opening as claimed. Even if this is an opening, it is not disposed on the front of the jacket as claimed.

The drawing also teaches front opening disposed at the centerline of the chest. As Aloof discloses at 11:45 et al. *"illustrated in FIG. 11, the protective garment 540 includes two portions . . . portion 542 covering the left side of the body and portion 544 covering the right side of the body."*

In other words, Aloof teaches dividing a garment having bilateral portions to accommodate the bilateral symmetry of the human body. Unfortunately, such an arrangement misses an important aspect of protecting the wearer in that an airbag *"extends from one side of the chest to the other side of the chest above the sternum."* Advantageously, the chest including a centerline is protected.

Herein, by placing the opening at the centerline of the front, not only does Aloof not provide the claimed garment, but also makes it impossible to place an airbag that goes across the chest. Thus, two airbags, a left side for portion 542 and a right side for portion 544, would be required. Where the bags meet at the centerline at the front, the wearer chest's remains exposed at the centerline leaving the wearer subject to serious injury.

Aloof does not teach, disclose, or suggest an airbag "extending from a one side to another side of the chest above the sternum." An airbag portion 110 as shown in Fig. 2g is cited for teaching this feature.

While in this reference, Aloof teaches both the airbag 110 and the opening of Fig. 11, the two cited sections teach away from each other.

Aloof teaches that the embodiment of Fig. 11 includes left and right portions 542, 544 and that *"garment 540 the [sic] expands to a rounded shape which is not a ball."* Emphasis added.

11:45 et al. However, as is evident from Fig. 2g and related figures, airbag 110 covers the entire front torso area of the wearer. As Aloof teaches at 5:43 et al., once inflated “member 30 adopts a bulbous or generally rounded, spherical . . . balloon shape;” e.g., a ball shape, which is not the case with the embodiment of Fig. 11.

FIG.2G

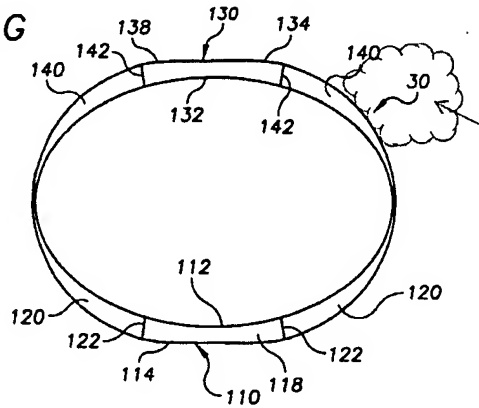


FIG.3G

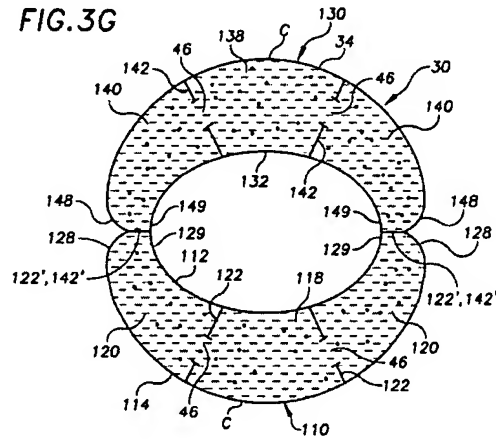


FIG.3B

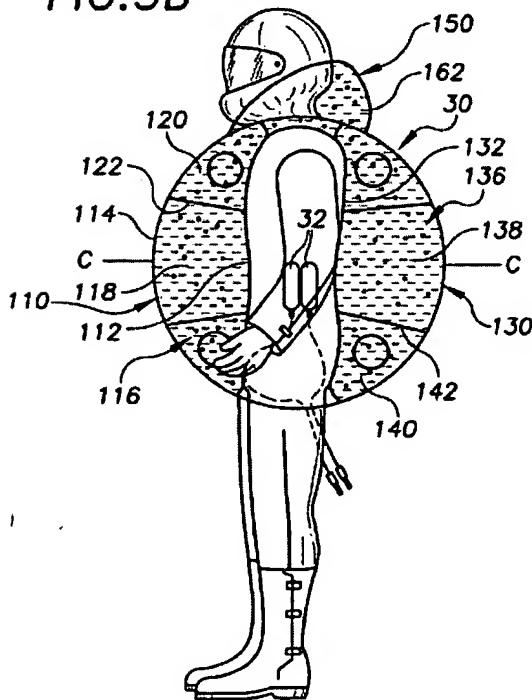
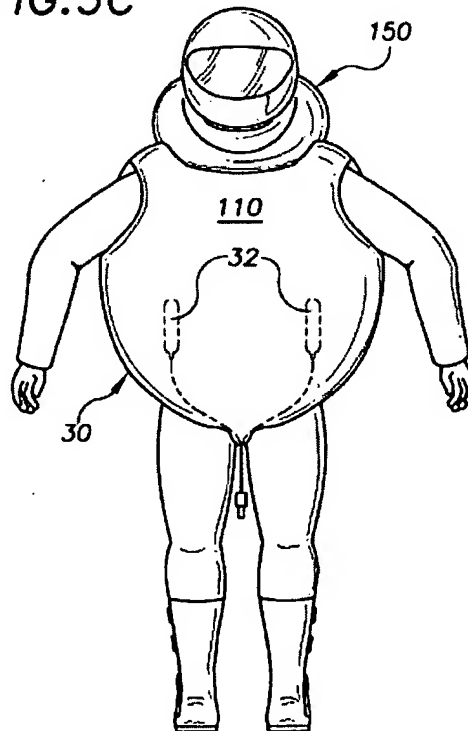


FIG.3C



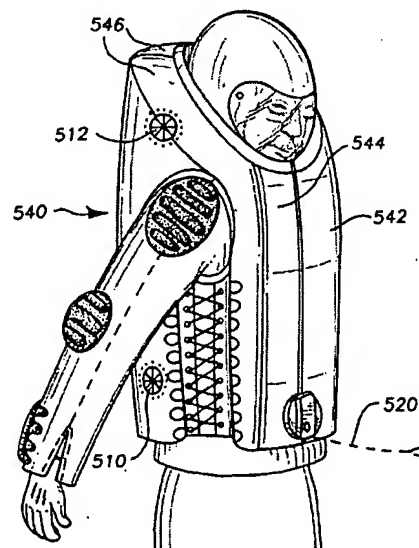
Thus, while a central front opening such as that of Fig. 11 is possible, it is not possible to combine that opening with an airbag 110 that covers the entire front torso nor is it possible to have an airbag 110 that covers the entire front side along with a front opening.

Moreover, Aloof does not teach, disclose, or suggest "airbags being associated to an inflating device activated by electronic means in response to the detection of one of risk and danger signals emitted by sensors." Aloof is cited for teaching this limitation at 9:1 to 10:65. However, Aloof teaches a mechanical pull cord means that does not include electronic means.

Herein, Aloof teaches at that

In case of an accident, . . . [w]hen the rider passes a predetermined distance from the seat, cord 520 is pulled tight . . . The tightened cord applies a force . . . When this force reaches a predetermined intensity, the cord guide transfers the mechanical signal to the triggering device 532 and activates it.

Once activated, the triggering device immediately generates an electrical signal for the control circuit 536 . . . [w]hen the electric pulse reaches the squib, the squib activates the entire gas generator."



In other words, once the rider leaves the vehicle, a cord, e.g., cord 520, is pulled tight triggering a mechanical action that creates an electrical signal. However, in the presently claimed

invention, the inflating device is activated by electronic means in response to the detection of one of risk and danger signals emitted by sensors.

In the cited section of Aloof, no sensors are present. The only action is a pulling of cordage. This pulling may be quite accidental, as for example, when the rider fails to unhook (consider the loop of cord 520 illustrated in Fig. 11) from the vehicle and causes an embarrassing, unnecessary, and expensive activation of the unit.

The presently claimed invention relies on sensors that determine one of risk and danger signals and which would avoid such an unintended misfire of the device.

Aloof in 11:10-25 goes on to teach sensors. However, unlike the presently claimed invention where the sensors are mounted within the garment, the sensors of Aloof are mounted in the vehicle.

For the reasons given, Aloof does not teach, disclose, or suggest the claimed invention. Accordingly, the Examiner is respectfully requested to withdraw the rejection.

All dependent claims are allowable for at least the same reasons as the independent claim from which they depend.

In view of the remarks set forth above, this application is in condition for examination and ready passage to allowance, which is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for examination or allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, including any necessary extension fees, may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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